

01.12.2023
Sl. No.52
akd
[Rejected]

C. R. M. (DB) 4332 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.10.2023 in connection with Bagnan Police Station Case No.32 of 2018 dated 01.02.2018 under Sections 302/201/120B of the Indian Penal Code. (G.R. Case No.224 of 2018)

And

In Re: ***Madhusudan Ghosh @ Madhu & Anr.***

... .. Petitioners

Mr. Satadru Lahiri
Mr. Safdar Azam

... .. for the petitioners

Ms. Faria Hossain
Ms. Puspita Saha

... .. for the State

1. It is submitted on behalf of the petitioners that they are in custody for more than two years and nine months. It is further submitted though bamboo stick was recovered from them, victim has suffered stab injury. Accordingly, they pray for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits petitioners and others had brought the victim to the hospital and made a false claim that he suffered injuries due to road traffic accident. Materials on record show no road traffic accident took place. On the other hand, statements of witnesses implicate the petitioners in the murder.
3. We have considered the materials on record. Petitioners and others had brought the victim to the hospital. They made a false plea that the victim suffered injuries due to road traffic accident. Materials on record have improbabilised such plea. On the contrary statements of witnesses implicate the petitioners in the murder. Under such

circumstances and in view of gravity of the offence, we are not inclined to grant bail to the petitioners at this stage.

4. The application for bail is thus rejected.
5. Trial court is directed to expedite the trial and conclude the same at the earliest.
6. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)